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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

PATENT

11 - 1301

J0910 U.S. PRO  
09/773826  
01/31/01



In Re Application of:

Reback, et al.

091 773826

Serial No.: To be assigned

Filed: January 31, 2001

Group Art Unit: To be assigned

743

Examiner: To be assigned

Bex

Docket No.: 050508-1030

For: **IMMUNOLOGICAL ASSAY SYSTEM AND METHOD**

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This information disclosure statement is filed in accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, and specifically:

- under 37 CFR 1.97(b), or  
(within Three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- under 37 CFR 1.97(c) together with either a:  
 Statement Under 37 C.F.R. 1.97(e), or  
 a \$240.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before the final office action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with a:  
 Statement under 37 CFR 1.97(e), and  
 a petition under 37 CFR 1.97(d)(2), and  
 a \$130.00 petition fee set forth in 37 CFR 1.17(i)(1).  
(Filed after final office action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Enclosed is a check in the amount of \$ \_\_\_\_\_. Please charge \$0.00 to deposit account 20-0778. At any time during the pendency of this application, please charge any fees required to Deposit Account 20-0778 pursuant to 37 CFR 1.25. The Commissioner is hereby requested to credit any overpayment to Deposit Account No. 20-0778.

- Applicant(s) submit herewith *Form PTO 1449 - Information Disclosure Citation* together with copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may or may not be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56. As required by 37 C.F.R. §1.98(a), a legible copy of each document is provided.
- A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on the form PTO 1449 and is enclosed herewith.

The following rights are reserved by the Applicant(s): the right to establish the patentability of the claimed invention over any of the listed documents should they be applied as reference, and/or the right to prove that some of these documents may not be prior art, and/or the right to prove that some of these documents may not be enabling for the teachings they purport to offer.

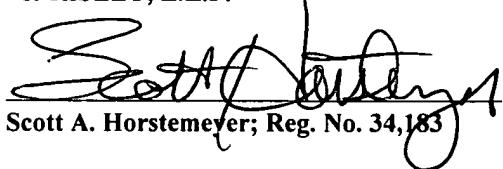
This statement should not be construed as a representation that an exhaustive search has been made, or that information more material to the examination of the present application does not exist. The Examiner is specifically requested not to rely solely on the materials submitted herewith. The Examiner is requested to conduct an independent and thorough review of the documents, and to form independent opinions as to their significance.

It is requested that the information disclosed herein be made of record in this application and that the Examiner initial and return a copy of the enclosed PTO-1449 to indicate the documents have been considered.

Respectfully Submitted,

**THOMAS, KAYDEN, HORSTEMEYER  
& RISLEY, L.L.P.**

By:

  
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**EXPRESS MAIL**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in an envelope addressed to: Commissioner of Patents and Trademarks, Box: Patent Application, Washington, D.C. 20231, on

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Rhonda P. Zeffino  
Signature

Form PTO-1449

Attorney Docket No.  
050508-1030Serial No.  
To be assigned**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

Applicant  
Roback, et al.Filing Date  
January 31, 2001Group  
60  
To be assigned**U.S. PATENT DOCUMENTS**

Examiner Initials	Item	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	A	5,156,811	10/20/92	White	422	100	07/23/91
	B	5,364,595	11/15/94	Smith	422	100	07/02/93
	C	5,496,523	03/05/96	Gazit, et al.	422	100	05/06/94
	D	5,556,598	09/17/96	Raybuck, et al.	422	10 D	09/13/93
	E						
	F						
	G						
	H						
	I						
	J						
	K						

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation
							Yes      No
	L						
	M						
	N						
	O						

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)**

	P	
	Q	
	R	

\* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

EXAMINER'S SIGNATURE:

DATE CONSIDERED: